



**CALFED
BAY-DELTA
PROGRAM**

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April 7, 2000

Forrest Sprague
American Property and
Land Education Foundation, Inc.
P.O. Box 9
Artois, CA 95913

Dear Mr. Sprague:

This is in response to your letter of March 20, 2000, regarding the CALFED Ecosystem Restoration Projects and Programs 2001 Proposal Solicitation Package (2001 PSP).

You have asked how actions for ecosystem restoration and projects can be analyzed, accepted, funded, and implemented absent the release of the Final Programmatic Environmental Impact Report and Record of Decision. The 2001 PSP indicates that funding for ecosystem restoration projects is dependent upon completion of a Record of Decision for the Final Programmatic EIS/EIR, which is expected in the summer of 2000. Further, the 2001 PSP states that funds will be delayed if the CALFED agencies do not reach a Record of Decision this summer. In short, then, funding under this PSP will not occur before the final programmatic EIS/EIR is completed and the agencies reach a Record of Decision.

You have also asked if other ecosystem restoration programs and/or projects that meet the objectives of the CALFED Bay-Delta Program have been funded and implemented in the past and if so, you ask that we justify this action without first having a final EIR and a certified Record of Decision. Early implementation of ecosystem restoration projects has been coordinated through the CALFED Program. These projects, known as Category III projects, are authorized by both state and federal law as a way to begin ecosystem restoration actions, which often take many years to produce results, while the Programmatic EIS/EIR was being prepared. (See California Water Code § 78536.5 and the California Bay Delta Environmental Enhancement Act, Pub. L. 104-333.) Each of these projects implemented prior to the approval of the Final Programmatic EIS/EIR has been justified independently of the CALFED Program and subject to its own environmental review where required.

Further, other ecosystem restoration programs and projects that meet the CALFED objectives have been funded and implemented. For example, ecosystem restoration projects under the Central Valley Project Improvement Act (P.L. 102-575, Title XXXIV) meet some

CALFED Agencies

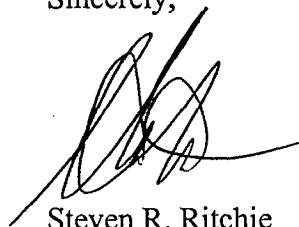
California	The Resources Agency	Federal	Environmental Protection Agency	Department of Agriculture
	Department of Fish and Game		Department of the Interior	
	Department of Water Resources		Fish and Wildlife Service	
	California Environmental Protection Agency		Bureau of Reclamation	
	State Water Resources Control Board		U.S. Geological Survey	
	Department of Food and Agriculture		Bureau of Land Management	
			U.S. Army Corps of Engineers	Natural Resources Conservation Service
				U.S. Forest Service
				Department of Commerce
				National Marine Fisheries Service
				Western Area Power Administration

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CALFED Program objectives. These projects and others have been authorized and approved under laws that are administered by various government agencies. The CALFED agencies have not envisioned or publicized the CALFED Bay-Delta Program as the exclusive method for achieving improvement in resources management in the Bay-Delta estuary and watershed. If work on the CALFED Bay-Delta Program were to cease, existing laws and funding are available to continue ecosystem restoration projects – as well as projects in other elements of the Program. The essential purpose of the CALFED Program is to help coordinate and expand many different but related resource management efforts – not to supersede or replace or preclude those efforts.

I hope this information is helpful. Please call me at (916) 657-2666 if you have questions on this material.

Sincerely,

A handwritten signature in black ink, appearing to be 'SR Ritchie', written over a horizontal line.

Steven R. Ritchie
Acting Executive Director